That all copy boys are lazy and pimply.

That women reporters have a sex hunger which they are always eager to satisfy.

That copyreaders emasculate all the clever stories.

That society editors don't know Society People.

That war correspondents are romantic fellows, who wear khaki, field boots and Stetsons.

That Munsey was a tyro, Pulitzer a genius, Bennett a drunkard, Dana a scholar, Greeley a pioneer, and Marse Henry Watterson a gentleman, suh!

That newspapermen never meet Interesting People.

That journalists' wives are scheming spoil-sports and frumps.

That Walter Winchell is paid $8000 per week.

That employees of a morning paper merit higher salaries than those on an afternoon sheet, because the former must labor at night.

That the Hearst service is a madhouse operated by madmen.

That New York is the Only Place for good newspapermen.

That the Associated Press is more accurate, and therefore more apathetic than the United Press.

That a reporter's by-line on a news story has some intrinsic value.

That all publishers have adenoidal sons who will some day inherit the business.

That newspapermen can, if they desire, procure special rates from hotels, clubs, air lines — and even houses of ill fame.

That executions are ghastly spectacles, but can be viewed with equanimity after imbibing a quart of warm gin.

That cartoonists receive huge salaries.

That the Pulitzer prizes for journalism seldom go to deserving journalists.

That the *Springfield Republican* is the most scholarly of American dailies.

That the *Christian Science Monitor* has some psychic connection with the late Mrs. Eddy.

That all comic strips are ghosted.

That British journalists are more literate than their American brethren.

That women fashion editors are never *chic*.

That there ought to be a law against the radio broadcasting of news.

And that any guy who stays in the newspaper racket is a damn fool.

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## *Divorce by Special Delivery*

By Anthony M. Turano

One of the most persistent lay misconceptions of the law is the wishful belief that all judicial documents, regardless of the devious ways in which they are obtained, are invariably worth their face value. Thus, several years ago, hundreds of wedded Americans sought to evade the archaic divorce requirements of their home states by vacationing in Paris and returning with impressive decrees done up in pretty ribbons and red seals. It was suggested by competent lawyers that most of those who had trusted such foreign revamping of their civil condition to the point of remarrying, lived somewhere on the border line between adultery and bigamy. But these divorce excursions did not cease until the French Government itself decided to interfere.

The same foolhardy recourse to interna-

tional law in matrimonial affairs has been since directed toward Mexico. An increasing number of American homefolk consider themselves effectively restored to carefree nubility because they have purchased some elegant papers that say so plainly — in pure Castilian. As a matter of solid American law, however, the legal force of a Mexican decree is no greater in most cases than that of the latest Spanish novel.

It is a commonplace of Anglo-Saxon jurisprudence that a divorce obtained through fraud, or without strict attention to established rules of procedure, is utterly worthless, regardless of the high authority of the presiding magistrate. The trial court must have jurisdiction of the marriage; and the sued spouse is entitled to an opportunity to make a defense. But these prerequisites do not bother the courts of Juarez, where a brand-new civil status may be had by any American, with no more legal ado than is involved in buying a made-to-measure garment from a mail-order house. As recently as January, 1935, a firm of self-styled "Mexican law experts" informed a divorce-minded woman on this side of the border that "under the laws of Chihuahua, it is not necessary for the parties to appear"; the lady could dishonorably discharge her objectionable mate by simply remitting $75 at once, and paying a $50 balance upon delivery of the decree a few days later. In order to suggest that their services, all law aside, are fashionable affairs, *con mucho tono,* these enterprising solicitors boast that such notables as Norma Talmadge, Katherine Hepburn, and Richard Dix have all used Mexican facilities to end their matrimonial stalemates.

It is not surprising that American judges have declared such decrees void at every opportunity. A California court recently annulled one woman's second marriage on the ground that her imported certificate of liberty was a "gross fraud upon the ideals and system of jurisprudence existing in this country." Mr. Justice Jennings Bailey, of the District of Columbia Supreme Court, held in another case that divorces granted when neither party was in Mexico, "are invalid as to residents of the United States." In Utah, some months ago, a district judge enjoined a plaintiff from obtaining a decree in the southern republic. The same attitude is manifested by prosecuting authorities. Attorney General Cummings recently ordered an inquiry into what he called the "Mexican mail-order divorce racket," for the purpose of punishing any American lawyer engaged in it. Several "divorce brokers" with Mexican connections have been arrested in southern California for practicing law without licenses.

Nevertheless, the traffic continues. In July, 1934, the American Consul at Mexico City, in attaching his authentication to Mexican decrees, decided also to append a written note of warning to his co-nationals. In reply, Governor Quevedo of Chihuahua, dispatched two special representatives to Washington to "divert official disfavor" from the Juarez divorce factory, and thus preserve the $45,000 a month contributed by Americans in domestic distress.

In some cases, the applicants prefer, as a precautionary measure, to cross the southern border for a few days, and call for their decrees in person. But the sad legal truth is that a declaration of singleness brought about by excursion is not much better than one delivered by the postman. As I had occasion to show in a previous article (THE AMERICAN MERCURY, August, 1929), a decree may, under certain conditions, be ignored in the home state of the parties, even when granted by a neighboring American jurisdiction.

In Massachusetts, for instance, it is declared by statute that no legal effect shall

be given to dissolutions of marriage obtained by its inhabitants "in another state or country" upon grounds which arose in Massachusetts, or for causes that Massachusetts does not prescribe. Several other American commonwealths, including New York and Pennsylvania, have consistently refused to respect decrees issued in other states, even when the residential requirements of such states were fully obeyed, unless both spouses had submitted to the jurisdiction of the outside courts. This judicial non-recognition has been especially directed toward Reno, and applies with equal force against Arkansas, Florida, and other liberal states. It is obvious that if an American court is not always deemed competent to sever the nuptial ties of a citizen of a neighboring commonwealth, no such power can be assumed by foreign magistrates.

Neither does it follow that when both parties appear, personally or by attorney, before the Mexican court, the resulting judgment must be taken at face value. The chief strength of this belief comes from the fact that no court of last resort has yet ruled directly on the question. But the weight of judicial theory and dicta strongly points to a negative answer. It is a firmly established principle of American law that the home state has the exclusive power to determine the civil status of its citizens, and that no outside authority can legally intervene in the matrimonial relation. "The consent of the parties is impotent to dissolve it contrary to the law of the domicile," said the United States Supreme Court in *Andrews vs. Andrews.*

Of course, a person may change his place of residence by moving to another state or even to a foreign country. But this means much more than making a round trip across the international line for the sole purpose of shedding a life partner. According to the highest American tribunal: "Temporary sojourn in a foreign country without *animus manendi* does not create domicile." In other words, there must be a prolonged actual residence, coupled with an intention in good faith to establish a new home. Similar rulings have been recently handed down by the federal courts of Mexico. Besides, the new civil code of the southern republic prescribes a minimum residence period of six months, a requirement seldom met by American petitioners. Obviously, no decree deemed worthless in Mexican law can acquire legality by transportation into the United States.

It follows that when new domestic ties are contracted on the strength of dubious divorces, the legal consequences may be very interesting. An instance in point is the case of W. H. Ochsner, who obtained an irregular decree from his first wife in 1909. She made no objections until after her husband's death in 1927, when she learned that he had left an estate of nine million dollars. It was shown that Ochsner had taken a second wife, and was living with his third at the time of his death. In the resulting legal contest, each of the women claimed to be the sole legitimate widow, and urged the spuriousness of the two other mates. When the first divorce was held void, the children of the subsequent marriages suffered the stigma of illegitimacy. A crew of about forty lawyers strove mightily in the courts of two states until the three sets of heirs agreed to a friendly division of the spoils.

Even more serious than the bastardizing of children is the possibility that their parents may be imprisoned for bigamy. As recently as March 13, 1935, a Los Angeles prosecutor ordered the arrest of one Dow L. Harlow, on the ground

that his mail-order document did not entitle him to a new wife. The officer declared that since his state was bound to protect its marriages, "there should be some teeth put to this policy."

So far, district attorneys have generally refused to issue criminal warrants at the request of either spouse, when both parties had connived to obtain Mexican decrees. This is because of the legal doctrine that no person should be permitted to complain of his own fraud. But there is no reason to believe that such an attitude will continue indefinitely, or that grand juries may not demand the investigation of all questionable remarriages. So it appears that the great majority of the individuals concerned will enjoy their refurbished civil standing only so long as the prosecuting authorities remain quiescent.

Of course, the blame for this ambiguous legal position of many Americans belongs least of all to the divorce petitioners themselves. The New Yorker, for instance, who has been paying alimony in wedded separation for twenty-five years, cannot be accused of profligacy if he attempts, through a Mexican divorce, to give his extra-marital emotional life some color of legality. It should also be easy to understand why a deserted South Carolina wife may prefer the provisional freedom of an imported document, if her state condemns her to married celibacy until death do part her from her wayward partner. Equally excusable is the conduct of Californians when they refuse to consider marriage a penal institution in which they must linger an additional twelve months after its dissolution has been ordered by interlocutory judgment.

Hence, despite the dangers and embarrassments of a muddled civil status, it is easy to predict that the number of persons doubtfully divorced or precariously remarried will continue to increase, until such time as certain states decide to humanize their matrimonial laws.

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## *Why We See Mirages*

By Charles Fitzhugh Talman

A remarkable fact about mirage is that no generally recognized name for it existed in any European language until the beginning of the nineteenth century. It was only when Napoleon's soldiers invaded Egypt and were astonished at the sight of phantom lakes spread over the hot sands of the desert that the mathematician Monge, accompanying the expedition, published an explanation of the spectacle and gave it the name it now bears. The word was taken from the jargon of French sailors who had previously applied it to somewhat different appearances observed from ships at sea.

More philosophers than one have pointed out the important function performed by terminology in crystallizing ideas. Mirage had not, of course, been completely ignored before the days of Monge. Allusions to the deceitful waters of the desert are strewn through old Oriental literature, including the Bible and the Koran. Even in Europe local examples of mirage—such as the *délibáb* of the Hungarian plains and the *fata morgana* of the Messina Straits—had enjoyed local celebrity for ages, and scientific accounts